## AMENDMENTS TO THE CLAIMS

Please amend Claims 1, 4, 6 and 35 as follows. Please cancel Claims 2, 3, and 34 as indicated. Please add Claims 37 - 47 as follows:

1. (currently amended) A cup lid in combination ~~for use~~ with a drinking cup containing a liquid, said drinking cup having a base and a sidewall extending upwardly from the base, the sidewall including an inner surface, a top end, and a rim extending along the circumference of the top end, the cup lid comprising:

a first part lying in a first plane and having a top surface and a center axis;

means on said first part for releasably mounting said first part to the top end of the cup to form a substantially liquid tight seal between the cup lid and the cup;

a second part depending radially outwardly from said first part and lying in a second plane;

compartment means formed by said second part and said inner sidewall surface ~~between the cup and said cup lid~~ for bifurcating a portion of the liquid in the cup into one portion and a second portion;

said one portion comprising means for facilitating the flow of liquid into said compartment means and said second portion for facilitating the flow of liquid out of said compartment means;

said first part and said second part further comprise aperture means for permitting the liquid contained in said one portion to flow out of said compartment means and out of the drinking cup;

said second part comprises baffle means for substantially shielding the liquid in said one portion from substantial interference with the liquid in said second portion during any lateral movement of the cup thereby any spillage of the liquid out of the cup is substantially minimized[.];

means on said second part for the downward movement of said second part from a first position wherein said second part is substantially co-planar to said first part, to a second position wherein said second part is non-coplanar with said first part;

said one portion comprising means for permitting the ingress of liquid from said second portion into said one portion when said second part is in said second position for permitting the egress of the liquid out of said one portion;

a first aperture at said bottom end when said second part is at said second position to permit the liquid to ingress into said channel; and,

a second aperture at said upper end when said second part is at said second position to permit the liquid to egress out of said channel.

2. (canceled)

3. (canceled)

4. (currently amended) The cup lid of Claim 1 [3] wherein said first part and said second part further comprise biasing means for urging at least a portion of said

second part to move adjacent said inner sidewall surface when said cup lid is releasably mounted to the top end of the cup.

5. (original) The cup lid of Claim 1 and further comprising at least one aperture on said second part for facilitating the flow of the liquid contained in said second portion into said compartment means.

6. (currently amended) The cup lid of Claim 1 ~~[2]~~ wherein:

said first part comprising a first section and a second section;

said second section having a substantially flat cross-sectional area;

said first section comprising a substantially concave cross-sectional area relative to said second section when said second part is in said first position; and,

said second part comprises a substantially concave cross-sectional area relative to said second section when said second part is in said first position.

7. (original) The cup lid in Claim 6 wherein:

said second part comprises a concave cross-sectional area relative to said second section of said first part when said second part is in said second position; and,

said first section of said first part comprises a convex cross-sectional area relative to said second section of said first part when said second part is in said second position.

8. (original) The cup lid of Claim 1 wherein said second part comprises a longitudinal flange.

9. (original) The cup lid of Claim 8 wherein said longitudinal flange is tapered in a direction away from said first part.

10. (original) The cup lid of Claim 1 wherein:

said first part further comprises a slotted peripheral edge extending at least along the perimeter of said first part; and,

said slotted edge comprises means for releasably mounting the cup lid to the rim for forming a substantially liquid tight seal between the cup lid and the cup.

11. (original) The cup lid of Claim 6 wherein said second part comprises:

a proximal end which is integral with and hingedly attached to said first part; and,

a distal end which is spaced apart and away from said proximal end.

12. (original) The cup lid of Claim 11 wherein:

said first section comprises the shape of a parabola;

said parabola comprises an apex and a base;

said apex is spaced apart and away from said base; and,

said base is proximate to said proximal end of said second part and said apex is proximate to said center axis.

13. (original) The cup lid of Claim 12 wherein:

said base comprises the shape of an arc; and,

said arc comprises an apex and an axis of rotation wherein said arc is facing concave in the direction of said distal end of said second part and is facing convex in the direction of said center axis of said first part.

14. (original) The cup lid of Claim 13 wherein:

said base of said arc further comprises a crease in said cup lid; and,

said crease coincides with the length and direction of said arc.

15. (original) The cup lid of claim 14 wherein said apex of said arc rotates in an upward direction about the axis of rotation of said arc when said second part is moved from its first position to its second position thereby creating biasing means in said first part and in said second part for causing said second part to move substantially adjacent to said inner sidewall surface when said cup lid is releasably mounted to the cup.

16. (original) The cup lid of Claim 11 wherein said second aperture is located between the rim and the proximal end of said second part when said second part is at its second position.

17. (original) The cup lid of Claim 16 wherein said first aperture is located between the inner sidewall surface and said distal end of said second part when said second part is at its second position.

18. (original) The cup lid of Claim 1 and further comprising:

a third part hingedly attached to said first part; and,

means on said third part for movement between a closed position wherein said third part is releasably mounted to the cup and is positioned substantially over and above said aperture means to form a substantially liquid tight seal between the cup lid and the cup thereby preventing the substantial egress of liquid out of the cup and an open position wherein said third part is released from the cup thereby permitting the egress of liquid out of the cup through said aperture means.

19. (original) The cup lid of Claim 18 wherein said third part further comprises means for removing said third part from said first part.

20. (withdrawn) In combination with a cup lid, an insert for use with a drinking cup containing a liquid, the drinking cup having a base and a sidewall extending upwardly from the base, the sidewall having an inner surface, a top end, and a rim extending along the circumference of the top end and the cup lid having a slotted peripheral edge for releasably mounting the cup lid to the top end to form a substantially liquid tight seal and aperture means in the cup lid, the insert comprising:

a substantially flat first part lying in a first plane;

means on said first part for releasably mounting said first part to the top end of the cup wherein said first plane is substantially parallel with the base of the cup;

a second part depending from said first part and lying in a second plane;

said first plane is non-coplanar relative to said second plane;

means on said first part and said second part for forming compartment means in the cup wherein said compartment means bifurcates the cup into two portions, one portion containing liquid in said compartment means and a second portion separated from said one portion and containing the remaining liquid in the cup;

said compartment means comprises means for permitting the ingress of the liquid contained in said second portion to flow into said one portion and the egress of the liquid out of said one portion;

means for releasably mounting said cup lid to the cup whereby said cup lid entirely covers said insert;

said one portion being substantially positioned and aligned below said aperture means when the cup lid is releasably mounted onto the cup; and,

said second part comprises baffle means for substantially isolating the liquid in said one portion from substantial wave interference with the wave movement of the liquid which is in said second portion whereby substantial spillage of the liquid out of the cup is minimized during any lateral movement of the cup.

21. (withdrawn) The insert of Claim 20 wherein:

said one portion is located between said second part and the inner sidewall surface of the cup when said first part is mounted to the top end of the cup;

said one portion further comprises a channel having an upper end and a bottom end;

said bottom end comprises means for forming a first aperture to permit the liquid in the cup to ingress into said channel; and,

said upper end comprises means for forming a second aperture to permit liquid in the cup to egress out of said channel.

22. (withdrawn) The insert of Claim 20 wherein said second part rigidly depends from said first part in a non-coplanar position relative to said first plane.

23. (withdrawn) The insert of claim 20 wherein said aperture means comprises a third part which is integral with and hingedly attached to the cup lid for movement between a closed position wherein the third part is releasably mounted to the rim of the cup and is positioned substantially over and above said one portion to form a substantially liquid tight seal thereby preventing the substantial egress of liquid out of the cup and an open position wherein said third part is released from the rim of the cup to permit the egress of liquid out of the cup.

24. (withdrawn) An insert for use with a cup lid and a drinking cup containing a liquid, the drinking cup having a base and a sidewall extending upwardly from the base, the sidewall having an inner surface, a top end, and a rim extending along the circumference of the top end and the cup lid having a slotted peripheral edge for releasably mounting the cup lid to the top end to form a substantially liquid tight seal and aperture means in the cup lid, the insert comprising:

a substantially flat first part lying in a first plane;

means on said first part for releasably mounting said first part to the top end of the cup wherein said first plane is substantially parallel with the base of the cup;

a second part depending from said first part and lying in a second plane;

said first plane is non-coplanar relative to said second plane;

means on said first part and said second part for forming compartment means in the cup wherein said compartment means bifurcates the cup into two portions, one portion containing liquid in said compartment means and a second portion separated from said one portion and containing the remaining liquid in the cup;

said compartment means comprises means for permitting the ingress of the liquid contained in said second portion to flow into said one portion and the egress of the liquid to flow out of said one portion;

means for releasably mounting said cup lid to the cup whereby said cup lid entirely covers said inert;

said one portion being substantially positioned and aligned below said aperture means when the cup lid is releasably mounted to the cup; and,

said second part comprises baffle means for substantially isolating the liquid in said one portion from substantial wave interference with the wave movement of the liquid which is in said second portion whereby substantial spillage of the liquid out of the cup is minimized during any lateral movement of the cup.

25 (withdrawn) The insert of Claim 24 wherein:

said one portion is located between said second part and the inner sidewall surface of the cup when said first part is mounted to the top end of the cup;

said one portion comprises a channel having an upper end and a bottom end;

said bottom end comprises means for forming a first aperture to permit the liquid in the cup to ingress into said channel; and,

means on said top end comprises means for forming a second aperture to permit the liquid in the cup to egress out of said channel.

26. (withdrawn) The insert of Claim 24 wherein said second part rigidly depends from said first part in a non-coplanar position relative to said first plane.

27. (withdrawn) The insert of claim 24 wherein said aperture means comprises a third part which is integral with and hingedly attached to the cup lid for movement between a closed position wherein the third part is releasably mounted to the cup and is positioned substantially over and above said one portion to form a substantially liquid tight seal to prevent the substantial egress of liquid out of the cup and an open position wherein said third part is released from the cup thereby permitting the egress of liquid out of the cup.

28. (withdrawn) In combination with a cup lid, an insert for use with a drinking cup containing a liquid, the drinking cup having a base and a sidewall extending upwardly from the base, the sidewall having an inner surface, a top end, and a rim

extending along the circumference of the top end, and the cup lid having a slotted peripheral edge for releasably mounting the cup lid to the top end to form a substantially liquid tight seal and aperture means in the cup lid, the insert comprising;

a first part having a lower end and an upper end;

attachment means on said upper end for releasably mounting said first part to the top end of the cup and whereby said insert is prevented from substantial movement in the cup when the cup lid is mounted to the cup;

means on said first part for forming compartment means in the cup wherein said compartment means bifurcates the cup into two portions, one portion containing liquid in said compartment and a second portion separated from said one portion and containing the remaining liquid in the cup;

said compartment means comprises means for permitting the ingress of the liquid contained in said second portion to flow into said one portion and to egress out of said one portion;

means for releasably mounting said cup lid to the cup whereby said cup lid entirely covers said insert;

said one portion being substantially positioned and aligned below said aperture means when the insert is covered by the cup lid; and,

said first part comprises baffle means for substantially isolating the liquid in said one portion from substantial wave interference with the wave movement of the liquid which is in said second portion whereby

substantial spillage of the liquid out of the cup is minimized during any lateral movement of the cup.

29. (withdrawn) The insert of Claim 28 wherein:

said one portion is located between said first part and the inner sidewall surface of the cup when the first part is attached to the top end of the cup;

said one portion further comprises a channel having an upper end and a bottom end;

said bottom end comprises means for forming a first aperture to permit liquid in the cup to ingress into said channel; and,

said upper end comprises means for forming a second aperture to permit liquid in the cup to egress out of said channel.

30. (withdrawn) The insert of Claim 28 wherein said aperture means comprises a third part which is integral with and hingedly attached to the cup lid for movement between a closed position wherein the third part is releasably mounted to the cup and is positioned substantially over and above said one portion to form a substantially liquid tight seal between the cup lid and the cup thereby preventing the substantial egress of liquid out of the cup and an open position wherein said third part is released from the cup thereby permitting the egress of liquid out of the cup.

31. (withdrawn) An insert for use with a cup lid and a drinking cup containing a liquid, the drinking cup having a base and a sidewall extending upwardly from the base, the sidewall having an inner surface and a top end, and a rim extending along the

circumference of the top end, and the cup lid having a slotted peripheral edge for releasably mounting the cup lid to the top end to form a substantially liquid tight seal and aperture means, the insert comprising;

a first part having a lower end and an upper end;

attachment means on said upper end for releasably mounting said first part to the top end of the cup and for inserting said first part into the cup whereby said insert is prevented from substantial movement in the cup when the cup lid is releasably mounted on the rim of the cup;

means on said first part for forming compartment means in the cup wherein said compartment means bifurcates the cup into two portion, one portion containing liquid in said compartment means and a second portion separated from said one portion and containing the remaining liquid in the cup;

said compartment means comprising means for permitting the ingress of the liquid contained in said second portion to flow into said one portion and to egress out of said one portion;

means for releasably mounting said cup lid to the cup whereby said cup lid entirely covers said insert;

said one portion being substantially positioned and aligned below said aperture means when the insert is covered by the cup lid; and,

said first part comprising baffle means for substantially isolating the liquid in said one portion from substantial wave interference with the wave movement of the liquid which is in said second portion whereby

substantial spillage of the liquid out of the cup is minimized during any lateral movement of the cup when the cup lid.

32. (withdrawn) The insert of Claim 31 wherein:

said one portion is located between said first part and the inner sidewall surface of the cup when the first part is attached to the top end of the cup;

said one portion further comprises a channel having an upper end and a bottom end;

said bottom end comprise means for forming a first aperture to permit liquid in the cup to ingress into said channel; and,

said upper end comprises means for forming a second aperture to permit liquid in the cup to egress out of said channel.

33. (withdrawn) The insert of Claim 31 wherein said aperture means comprises a third part which is integral with and hingedly attached to the cup lid for movement between a closed position wherein the third part is releasably mounted to the cup and is positioned substantially over and above said one portion to form a substantially liquid tight seal between the cup lid and the cup thereby preventing the substantial egress of liquid out of the cup and an open position wherein said third part is released from the cup thereby permitting the egress of liquid out of the cup.

34. (canceled)

35. (currently amended) A cup lid ~~In~~ in combination with a drinking cup, ~~a cup lid for use with a drinking cup~~ containing a liquid, the drinking ~~said~~ cup having a base and a sidewall extending upwardly from the base, the sidewall including an inner surface, a top end, and a rim extending along the circumference of the top end, the cup lid comprising:

a first part having a substantially flat circular surface area and lying in a first plane;

said first part further comprising a perimeter and a center axis;

a slotted edge downwardly depending from said first part along said perimeter of said first part;

said slotted edge having means for releasable attachment to the rim of the cup to form a substantially liquid tight seal between the cup lid and the cup;

a second part which is integral with and hingedly attached to said first part and which depends outwardly and radially away from said first part in said first plane;

said second part having a proximal end which is located adjacent to said first part and a distal end which is spaced apart and away from said proximal end;

said second part further comprises a concave cross sectional area relative to said first plane;

said second part having means for movement relative to said first part from a first position which is co-planar with said first part to a second position which is non-coplanar with said first part;

said first part and said second part comprise biasing means for urging said second part to move substantially adjacent to said inner sidewall surface of the cup;

compartment means formed by said second part and said inner sidewall surface for bifurcating the liquid in the cup into one portion and a second portion;

said one portion having means for allowing the liquid in the cup to flow into said compartment means and for allowing the liquid in the cup to flow out of said compartment means;

aperture means on said first part and on said second part for allowing the liquid in the cup to flow out of the cup;

said compartment means comprises an upper end and a bottom end;

said bottom end comprises means for forming a first aperture to permit liquid in the cup to ingress into said compartment means;

said upper end comprise means for forming a second aperture to permit liquid in the cup to egress out of said compartment means and said aperture means; and,

said second part further comprises baffle means for substantially isolating the liquid in said one portion from substantial wave interference with the wave movement of the liquid in said second portion to preclude substantial spillage of the liquid out of the cup during any lateral movement of the cup when said cup lid is mounted to the cup.

36. (withdrawn) A method of using a re-sealable cup and cup lid assembly comprising the steps of:

providing a cup containing a liquid and having a base and a sidewall extending upwardly from the base, the sidewall including an inner surface, a top end and a rim extending along the circumference of the top end;

providing a cup lid comprising:

a first part lying in a first plane and having a top surface, a bottom surface and a center axis;

means on said first part for releasably mounting said first part to the top end of the cup to form a substantially liquid tight seal between the cup lid and the cup;

a second part depending radially outwardly from said first part and lying in a second plane;

said second part having means for movement relative to said first part;

compartment means between the cup and said cup lid for bifurcating the liquid in the cup into one portion and a second portion;

said one portion comprising means for facilitating the flow of liquid into said compartment means and said second portion for facilitating the flow of liquid out of said compartment means;

said first part and said second part further comprise aperture means for permitting the liquid contained in said one portion to flow out of said compartment means and out of the drinking cup;

said second part comprises baffle means for substantially shielding the liquid in said one portion from substantial wave interference with the wave movement of the liquid in said second portion during any lateral

movement of the cup whereby any spillage of the liquid out of the cup is substantially minimized.

bending said second part in a direction towards said bottom surface of said first part;

terminating the bending movement of said second part;

inserting said second part into the cup;

inserting the slotted edge of the cup lid onto the rim of the cup;

pushing the slotted edge of the cup lid onto the rim of the cup thereby causing a substantially liquid tight seal between the cup lid and the cup.

37. (new) A cup lid for use with a cup having a top edge, said cup lid comprising:

a first part lying in a first plane and having a top surface,

said first part further comprising a center axis perpendicular to said first plane and an edge having a perimeter;

means on said first part for releasably mounting said first part to the top edge of the cup to provide a substantially liquid tight seal between the cup and said first part;

a second part extending outwardly from said first part, lying in a second plane and having a longitudinal axis;

means on said first part and on said second part for the downward movement of said second part between:

a first position wherein said second plane is co- planar with said first plane;

a second position which is spaced apart and away from said first position wherein said second plane is not co-planar with said first plane; and,

a third position spaced between said first position and said second position wherein said second plane is not co-planar with said first plane;

said first part and said second part further comprising biasing means for the movement of said second part away from said second position and towards said third position;

means on said first part and on said second part for forming an opening which is contiguous to said perimeter and is created when said second part is moved from its first position to its second or third positions;

said first part further comprises a first section and a second section;

said second section is substantially flat and lies in said first plane;

said first section further comprises a concave cross-sectional area when said second part is in said first position; and,

said second part further comprises a concave cross-sectional area when said second part is in said first position.

said second part further comprises a concave cross-sectional area when said second part is in said second position; and,

said first section of said first part comprises a convex cross-sectional area when said second part is moved from its first position.

38. (new) The cup lid of Claim 37 wherein said second part comprises a longitudinal flange having a proximal end and a distal end.

39. (new) The cup lid of Claim 38 wherein said flange is tapered away from said proximal end and to said distal end.

40. (new) The cup lid of Claim 38 wherein said longitudinal flange further comprises at least one opening.

41. (new) The cup lid of Claim 38 and further comprising:

said proximal end of said second part is integral with and moveable relative to said first part; and,

said distal end is spaced apart and away from said proximal end.

42. (new) The cup lid of Claim 41 wherein:

said first section comprises the shape of a parabola;

said parabola comprises an apex and a base and lies in said second plane;

said apex is spaced apart and away from said base;

said base is located near to said proximal end of said second part; and,

said apex is located between said base and said center axis.

43. (new) The cup lid of Claim 42 wherein:

said base comprises an arc; and,

said arc comprises an apex having an axis of rotation.

44. (new) The cup lid of Claim 43 wherein:

said arc further comprises a crease on said first part; and,

said crease comprises means for creating said biasing means on said first part and said second part and for facilitating the movement of said second part relative to said first part.

45. (new) The cup lid of Claim 44 and further comprising means on said arc apex for movement in an upward direction relative to said second plane about said arc axis of rotation when said second part is moved from its first position towards its second position thereby creating biasing means in said first section to force the movement of said second part away from said second position and towards said third position.

46. (new) The cup lid of Claim 37 and further comprising:

a third part having a substantially flat surface, an outer edge and lying in a third plane; and,

means for mounting said third part to said first part for movement of said third part between a closed position wherein said outer edge is engaged with the top edge of the cup to provide a substantially liquid tight seal therewith when said second part is moved from its first position and an open position wherein said outer edge is disengaged from said top edge of the cup thereby exposing said opening which is created by the movement of said first part and said second part away from its first position.

47. (new) The cup lid of Claim 46 wherein said third part and said first part further comprise means for removing said third part from said first part.